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# **Scope and Regulatory Framework of the NPDES Program**

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# Learning Objectives

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- ◆ Clarify the relationship of statutes, regulations, and guidance
- ◆ Describe the NPDES regulatory framework
- ◆ Explain role of EPA and State/Tribal Authorities
- ◆ Provide program status

# General Definitions

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- ◆ Clean Water Act Legislation
- ◆ NPDES Regulations
- ◆ Policy and Guidance

# NPDES Regulation

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- ◆ **Code of Federal Regulations (CFR)**
  - Where final promulgated regulations are published
  - Published each year – includes regulations final as of July 1
  - Title 40: Protection of Environment

# NPDES Regulations (Continued)

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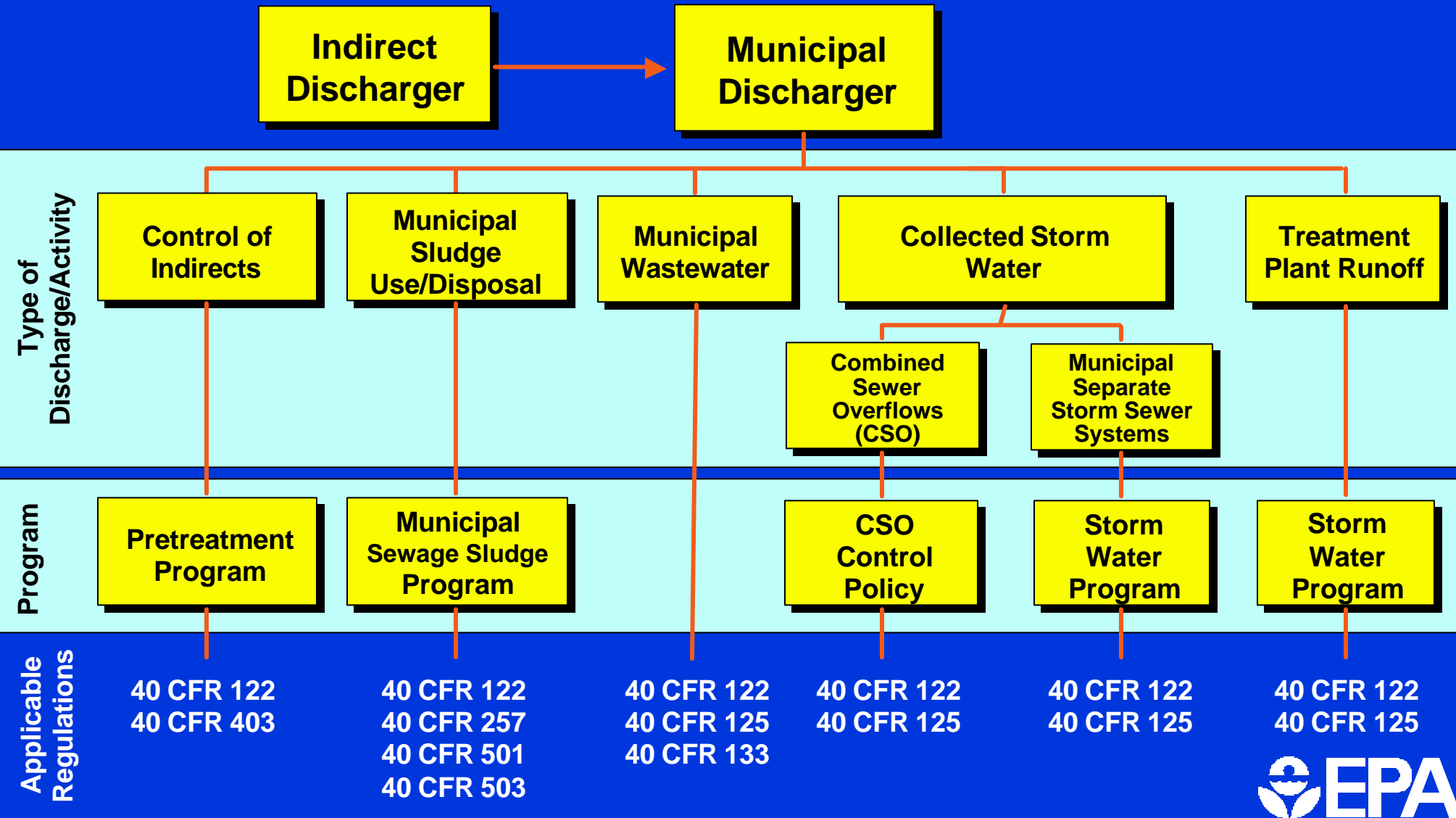
- ◆ **Federal Register (FR)**
  - Where rules are first proposed and then promulgated
  - Published daily
  - Includes background information (i.e., preamble)

# Key NPDES Regulations

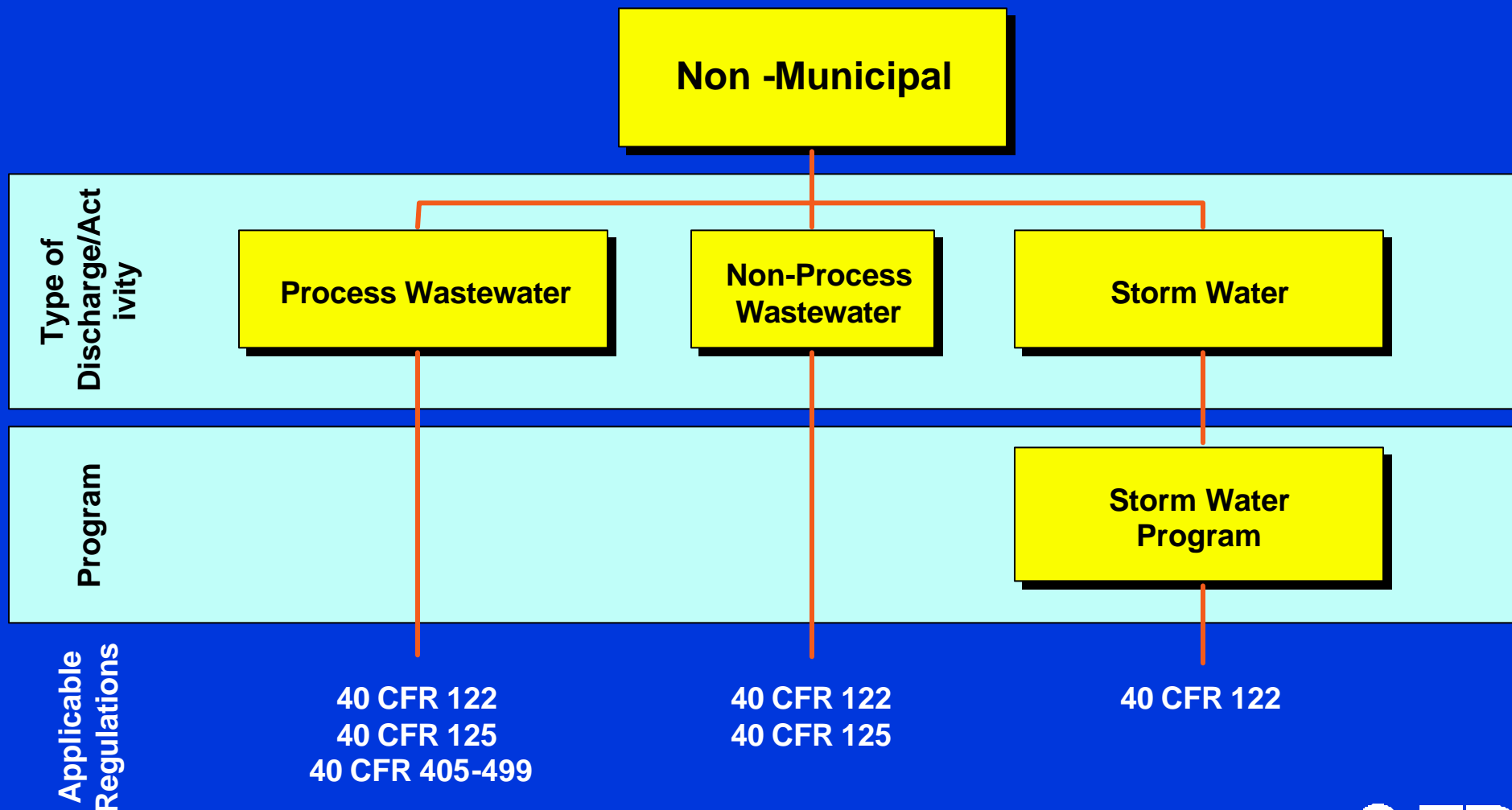
<b>40 CFR Part</b>	<b>Description</b>
121	State Certification of Activities Requiring a Federal License or Permit
122	EPA Administered Permit Programs: The National Pollutant Discharge Elimination System
123	State Program Requirements
124	Procedures for Decisionmaking
125	Criteria and Standards for the National Pollutant Discharge Elimination System
129	Toxic Pollutant Effluent Standards
130	Water Quality Planning and Management
131	Water Quality Standards
132	Water Quality Guidance for the Great Lakes System
133	Secondary Treatment Regulation
136	Guidelines for Establishing Test Procedures for the Analysis of Pollutants
401	General Provisions
403	General Pretreatment Regulations
405-499	Effluent Limitations Guidelines and Standards



# Scope of NPDES Program



# Scope of NPDES Program (Continued)





# NPDES Implementation

- ◆ **Before State/Tribal program approval:**
  - EPA issues permits
  - EPA conducts compliance and monitoring activities
  - EPA enforces
- ◆ **After State/Tribal program approval:**
  - States implement as above
  - EPA role = oversight
    - Grants
    - Administrative, technical and legal support and training
    - Enforcement as necessary



# Types of NPDES Authorization

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1. **Basic Municipal and Industrial Permit Program**
2. **Pretreatment Program**
3. **Federal Facilities Program**
4. **General Permit Program**
5. **Sludge Permit Program**

# State NPDES Program Authority

